

AUG 12 2002

TRADEMARK OFFICE  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of David Foster, et al

Serial No. 10/069,081

Filing Date: January 25, 2002

For: Orthopedic Bone Cement Mixing Container

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Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

**MISSING PARTS OF APPLICATION**

This is in response to the Notice to File Missing Parts of Application mailed July 1, 2002, copy attached.

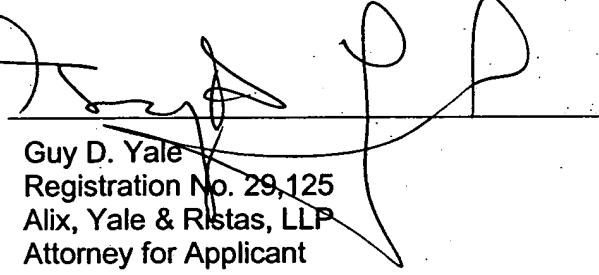
The Inventor's Declaration is submitted herewith.

Also submitted herewith is our check in the amount of \$65.00 to cover the surcharge for late filing of the Inventor's Declaration.

It is hereby petitioned that any required extension of time be granted for filing the missing parts. Please charge any required extension fee to Deposit Account 16-2563.

Respectfully Submitted,

David Foster, et al

By: 

Guy D. Yale  
Registration No. 29,125  
Alix, Yale & Ristas, LLP  
Attorney for Applicant

08/14/2002 MKAYPAGH 00000073 10069081

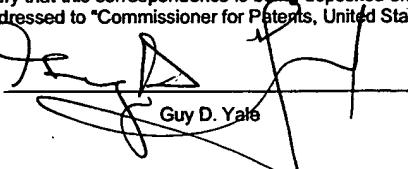
01 FC:254

65.00 DP

Date: August 6, 2002  
750 Main Street  
Hartford, CT 06103-2721  
(860) 527-9211  
Our Ref: DHN/322/PC/US

Attorney's Ref: DHN/322/PC/US

I hereby certify that this correspondence is being deposited on the date below with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, United States Patent and Trademark Office, Washington, DC 20231."

Signature: 

Guy D. Yale

Reg. No.: 29,125

Date: August 6, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

|                             |                       |                               |
|-----------------------------|-----------------------|-------------------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO.              |
| 10/069,081                  | David Foster          | DHN/322/PCT/US                |
|                             |                       | INTERNATIONAL APPLICATION NO. |
|                             |                       | PCT/EP00/07204                |
| I.A. FILING DATE            | PRIORITY DATE         |                               |
| 07/26/2000                  | 07/27/1999            |                               |

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CONFIRMATION NO. 9278  
371 FORMALITIES LETTER



\*OC000000008372305\*

Date Mailed: 07/01/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

mo

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice MUST be returned with the response.*

**PAULETTE R KIDWELL**

Telephone: (703) 305-3656

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/069,081                  | PCT/EP00/07204                | DHN/322/PCT/US   |

FORM PCT/DO/EO/905 (371 Formalities Notice)

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